IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 2637 of 2007(L)

PETITIONER:

BIJU VARGHESE,
UPPER DIVISION CLERK, OFFICE OF THE DISTRICT
EDUCATIONAL OFFICER, THIRUVANANTHAPURAM,
RESIDING AT T.C. 43/389 (1),
KAMALESWARAM, MANACAUD, THIRUVANANTHAPURAM.

BY ADV. SRI.GOPAKUMAR R.THALIYAL

RESPONDENTS:
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1. THE DISTRICT EDUCATIONAL OFFICER,
THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
THIRUVANANTHAPURAM.

3. THE ADDITIONAL DIRECTOR OF
PUBLIC INSTRUCTION (GENERAL) & VIGILANCE OFFICER,
THIRUVANANTHAPURAM.

4. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

5. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the audit report in respect of B4 Section sent by the 4th respondent to the 1st respondent dated 19.9.2006.

Ext.P2: True copy of the reply to audit objection in respect of B4 Section submitted by the 1st respondent dated 21.11.2006.

Ext.P3: True copy of the order issued by the Govt.dated 15.6.2004.

Ext.P4: True copy of the circular issued by the Govt. dated 21.12.2004.

Ext.P5: True copy of the order passed by the 3rd respondent dated 17.1.2007.

Ext.P6: True copy of the judgment passed by this Hon'ble Court in O.P.No.1420/1999 dated 25.3.1999.

RESPONDENT'S EXHIBITS:

Ext.R3(a): True copy of D.O.Lr.No.F2/26161/06 dated 4.12.2006 of the DDE, Thiruvananthapuram.

Ext.R3(b): True copy of the order No.B4/3933/03 of the D.E.O.

// True copy //

P.A.to Judge

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A.K.BASHEER, J.

W.P.(C)No.2637 OF 2007

Dated this the 20th day of June, 2007

JUDGMENT

Learned counsel for the petitioner submits that the writ petition has become infructuous in as much as the petitioner has been reinstated in service with effect from 28.4.2007 revoking the order of suspension. It is also submitted that a memo of charges has been served on the petitioner on March 23, 2007 and he has responded to the same. The enquiry initiated against the petitioner is in progress. He submits that the writ petition may be closed with liberty to the petitioner to take up all his contentions before the Enquiry Officer, if any such enquiry is proposed to be held. The above submissions are recorded.

Writ petition is closed with liberty to the petitioner to take up all his contentions in the proceedings, if any, that may be initiated against him. The enquiry shall be completed as expeditiously as possible, at any rate, within six months from the date of receipt of a copy of this judgment.

A.K.BASHEER, JUDGE

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